

PROB 12C
(7/93)

Report Date: May 13, 2011

United States District Court

for the

Eastern District of Washington**Petition for Warrant or Summons for Offender Under Supervision**FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

MAY 16 2011

JAMES R. LARSEN, CLERK
DEPUTY
SPOKANE, WASHINGTON

Name of Offender: Rudy Lee Wahchumwah

Case Number: 2:08CR02016-001
2:03CR02248-001

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable William Fremming Nielsen, Senior U.S. District Judge

Date of Original Sentence: 2:08CR02016-001: 12/1/2008
2:03CR02248-001: 8/3/2004Original Offense: 2:08CR02016-001: Failure to Register as a Sex Offender, 18 U.S.C. § 2250
2:03CR02248-001: Crime on Indian Reservation - Sexual Abuse of a Minor,
18 U.S.C. § 2243Original Sentence: 2:08CR02016-001
Prison - 24 Months;
TSR - 36 Months
2:03CR02248-001
Prison - 33 Months;
TSR - 36 Months
Type of Supervision: Supervised Release

Asst. U.S. Attorney: Alexander Carl Ekstrom

Date Supervision Commenced: 7/16/2010

Defense Attorney: Kraig Gardner

Date Supervision Expires: 7/15/2012

PETITIONING THE COURT

To issue a warrant and to incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court on January 5, 2011, and February 8, 2011.

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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Standard Condition #2: The defendant shall report to the probation officer and shall submit a truthful and complete written report within the first 5 days of each month.

Supporting Evidence: Mr. Wahchumwah has failed to submit his monthly report form within the first 5 days of the month of May 2011.

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Mr. Wahchumwah is required to submit his monthly report form within the first 5 days of each month. As of May 12, 2011, Mr. Wahchumwah has failed to submit his monthly report form.

- 8 **Standard Condition #6:** The defendant shall notify the probation officer at least 10 days prior to any change in residence or employment.

Supporting Evidence: Mr. Wahchumwah has failed to notify his probation officer of a change in residence as of May 10, 2011.

On April 21, 2011, Mr. Wahchumwah reported he would no longer be residing at the Quality Inn Hotel in Toppenish, Washington. He also advised that he would be staying in his travel trailer on West Wapato Road. On April 26, 2011, this officer received a voice mail message from the defendant reporting a change of address to 9061 West Wapato Road, Wapato, Washington. On May 10, 2011, this officer went to the defendant's reported address and found the home at this address uninhabitable. This officer also noticed that there was no sign of anyone residing at this location.

- 9 **Special Condition #20:** You shall register as a sex offender, according to the laws of the state in which you reside, are employed, or are attending school. You shall provide verification of compliance with this requirement to the supervising probation officer.

Supporting Evidence: Mr. Wahchumwah has failed to register a change of residence with the Yakima County Sheriff's Office as of May 11, 2011.

On April 27, 2011, the Yakima County Sheriff's Office confirmed the defendant registered his new address of 9061 West Wapato Road, Wapato, Washington. On May 11, 2011, the Yakima County Sheriff's Office reported Mr. Wahchumwah is still registered at this address. At this time, it is unknown if new charges of failure to register will be filed.

The U.S. Probation Office respectfully recommends the Court issue a warrant requiring the defendant to appear to answer to the allegations contained in this petition.

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I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 05/13/2011

s/Jose Zepeda

Jose Zepeda
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Other


Signature of Judicial Officer

May 16 2011
Date